

REMARKS

This application is amended in a manner to place it in condition for allowance at the time of the next Official Action.

Status of the Claims

Claim 11 is amended to clarify the claimed invention, e.g., as page 11, lines 6-10.

Claims 15, 19 and 29 are amended to correct informalities.

Claim 25 has been canceled without prejudice.

Claims 11, 15, 19 and 29 remain in this application.

Claim Rejections-35 USC §112

Claim 25 was rejected under 35 U.S.C. §112, second paragraph, for being indefinite.

This rejection is moot, as claim 25 has been cancelled.

Claim Rejections-35 USC §102

Claims 11, 15, 19 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by JUNG et al. ("JUNG"). This rejection is respectfully traversed for the reasons below.

JUNG teaches a specimen based on the tetragonal structure of Ca_2MnO_4 . JUNG further describes "Thermoelectric power measurements were carried out below 300 K on a sample placed between two blocks of oxygen-free high-conductivity (OFHC) copper. Both ends of the specimen were coated with platinum paste

and then placed in contact with thin copper plates." JUNG uses the platinum paste to improve electric conductivity between the specimen and the thin copper plate. Thus, this structure cannot be used as an exhaust gas cleaning catalyst.

The claimed invention, however, comprises a noble metal component that is present in the tetragonal-system composite oxide as a solid solution or carried by the composite oxide, and, thus, dispersed in the mass of the tetragonal-system composite oxide. Thus this structure can be used as an exhaust gas cleaning catalyst.

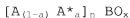
Thus, JUNG fails to anticipate, as JUNG fails to disclose a tetragonal-system composite oxide with a noble metal component which is present in the tetragonal-system composite oxide as a solid solution or carried by the composite oxide and is dispersed in the mass of the tetragonal-system composite oxide.

Therefore, withdrawal of the rejection is respectfully requested.

Claim Rejections-35 USC §103

Claims 11, 15, 19 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over JUNG in view of CHOUDHARY U.S. 6,197,719 ("CHOUDHARY"). This rejection is respectfully traversed for the reasons below.

CHOUDHARY describes "perovskite-structure oxides, represented by a general formula:



wherein, A is chemical element or mixture of chemical elements selected from rare earth and other trivalent elements; A* is chemical element or mixture of chemical elements selected from alkali arid alkaline earth elements, Pb, Cd, Ag, Cu, Sn and other mono and divalent elements; B is chemical element or mixture of chemical elements selected from Sc, Ti, V, Cr, Mn, Fe, Co, Ni, Y, Nb, Mo and noble metal elements; C is oxygen; a is mole fraction of A* in the mixture of A and A* in the range from 0 to 1; x is an integer having a value of 3 and 4 when n1 and 2, respectively".

If a=1, x=4, n=2, A*=Ca, B= Mn, $[A_{(1-a)} A^*_a]_n BO_x$ is Ca_2MnO_4 . However, this compound is referred to as perovskite-related compound.

According to the present specification in the paragraph bridging pages 8 and 9, perovskite-related compounds are not the same as the claimed tetragonal system. Additionally, perovskite-related compounds are described in column 2, lines 6 to 56 of the specification of U.S. 7,347,887.

As stated above with respect to the anticipation rejection, JUNG does not teach a structure which comprises the tetragonal-system composite oxide and the noble metal component which is present in the tetragonal-system composite oxide as a solid solution or carried by the composite oxide and is dispersed in the mass of the tetragonal-system composite oxide, and

therefore, the claimed invention is not obvious from JUNG in view of CHOUDEHARY.

Therefore, withdrawal of the rejection is respectfully requested.

Conclusion

In view of the amendment to the claims and the foregoing remarks, this application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our credit card which is being paid online simultaneously herewith for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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